

Remarks

Introduction

Claims 1-28 are pending in the application.

Claims 2-4, 6-10, 12-14, 16-18, 20-24, and 26-28 are withdrawn from consideration.

Claims 1, 11, 15, and 25 are rejected under 35 U.S.C. § 102(e) as being anticipated by Stronach U.S. Patent 6,722,980 (hereinafter "Stronach").

Claims 5 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Stronach in view of Acres et al. U.S. Patent 6,364,768 (hereinafter "Acres").

The Examiner objects to the specification for containing an informality.

The Specification has been amended to correct the informality and claims 1 and 15 have been amended to more particularly define the invention and to correct a minor clerical error. No new subject matter has been added and the amendments are fully supported and justified by the specification.

The Examiner's rejections are respectfully traversed.

Applicants' Reply to the Examiner's Objection to the Specification

The Examiner objects to the specification for containing an informality. Applicants have amended the specification to correct this informality. Accordingly, applicants respectfully request that the objection to the specification be withdrawn.

Applicants' Reply to the Rejections Under 35 U.S.C. § 102(e)

Claims 1, 11, 15, and 25 are rejected under 35 U.S.C. § 102(e) as being anticipated by Stronach.

Applicants' invention, as defined by amended independent claims 1 and 15, is directed toward a method and system for recognizing a wagerer of an interactive wagering application. Applicants' invention accesses a wagering history of the wagerer and determines if the wagerer is to be recognized based on the wagering history of the wagerer. The wagerer is provided with an incentive if the wagerer is determined to be recognized. For example, a wagerer may be recognized if it is determined that the wagerer is a VIP.

Stronach refers to a wagering system that facilitates wagering on race events. Upon the submission of a wager, the wagering system of Stronach may provide a prize to a user. The prize selection algorithm may "simply be a random seed" or may "provide a prize after every certain amount of wager submissions through the wagering terminal" (Stronach, column 11, lines 6-9). In another embodiment in which "the prize selection algorithm is implemented across the wagering system, the prize selection may determine to provide a prize to a particular wagering terminal after every certain amount of wager submission through wagering terminals throughout the wagering system" (Id., lines 9-14). As such, the prizes of Stronach are provided either randomly or based on the amount of wager submissions received from one or many wagering terminals and not based on the wagering history of a wagerer.

The Examiner contends that Stronach discloses all the features of applicants' invention of claims 1, 11, 15, and 25. Applicants submit that Stronach at least fails to show or suggest determining if the wagerer is to be recognized based on the wagering history of the wagerer, as specified by amended independent claims 1 and 15.

As described above, Stronach refers to providing prizes to users of the wagering system. However, the prize selection referred to by Stronach is in stark contrast to applicants' invention, which determines if the wagerer is to be recognized based on the wagering history of the wagerer. Stronach's random seed algorithm provides prizes to users randomly and not based on a user's wagering history. Further, Stronach's other algorithms for providing prizes to users determine the amount of wagers submitted through a single wagering terminal or through multiple wagering terminals throughout the wagering system and provides awards after a certain amount of wager submission. In these other algorithms, awards are provided to a user based on the total amounts of wager submissions at one or multiple terminals and not based on a user's wagering history. Therefore Stronach does not show determining if a wagerer is to be recognized based on the wagering history of the wagerer as required by applicants' independent claims 1 and 15.

Accordingly, because Stronach fails to show or suggest every limitation of applicants' amended independent claims 1 and 15, the rejection of claims 1 and 15 over Stronach under 35 U.S.C. § 102(e) should be withdrawn.

Claims 11 and 25 depend from amended independent claims 1 and 15, respectively. Accordingly, for at least this reason the rejection of dependent claims 11 and 25 should also be withdrawn.

Applicants' Reply to the Rejections
Under 35 U.S.C. § 103(a)

Claims 5 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Stronach in view of Acres.

Claims 5 and 19 depend from amended independent claims 1 and 15, respectively. Accordingly, for at least this reason the rejection of dependent claims 5 and 19 should also be withdrawn.

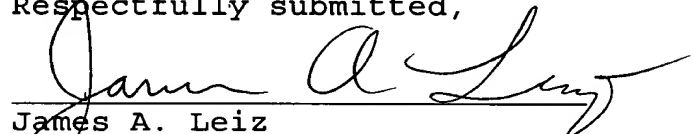
Claims 2-4, 6-10, 12-14, 16-18, 20-24, and 26-28

Claims 2-4, 6-10, 12-14, 16-18, 20-24, and 26-28 were withdrawn from consideration because no generic claim was found to be allowable. However, as demonstrated above, generic independent claims 1 and 15 are in condition for allowance. Accordingly, applicants respectfully request consideration and allowance of claims 2-4, 6-10, 12-14, 16-18, 20-24, and 26-28.

Conclusion

For at least the reasons set forth above, applicants respectfully submit that this application is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Respectfully submitted,



James A. Leiz
Reg. No. 46,109
Attorney for Applicants
Fish & Neave IP Group
ROPES & GRAY LLP
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000